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MEMO ENDORSED

July 9, 2008

BY FACSIMILE: (212) 805 7917

Honorable Robert P. Patterson
United States District Judge
United States District Court
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2550
New York, New York 10007-1312

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 7/10/08

Re: Ra Ptah Taharka Allen, et al. v. The New York City Police Department, et al.,
07 CV 8682 (RPP) (KNF)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter on behalf of the New York City Police Department, Police Officer Gonzalez and Police Officer Ruiz.¹ I am in receipt of plaintiffs' "Motion For Reconsideration For Default" and write to respectfully request a brief enlargement of time until July 30, 2008, within which to submit a response. Defense counsel telephoned plaintiff Allen at the number he listed on the "Motion For Reconsideration For Default" to obtain plaintiffs' consent to the instant request. Plaintiff Allen does not consent to defense counsel's request and would not provide an explanation for his refusal.²

The reason for this request is that I was recently assigned to another civil rights matter which is scheduled to commence trial before the Honorable Judge Eric Vitaliano in the Eastern District of New York on July 21, 2008. We anticipate that the trial will last approximately one week. As a result, the next several weeks will be consumed with trial preparation and trial.

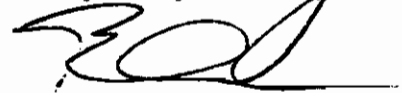
¹ According to the docket sheet, it appears that service was attempted but unexecuted as to the individual identified in the caption of the Amended Complaint as Police Officer Figueroa. Moreover, upon information and belief, Police Officer Figueroa has not requested legal representation from the Office of the Corporation Counsel, and therefore, he is not a defendant in this action at this time.

² Defendants recognize that the Court should not needlessly become embroiled in squabbles between the parties. Notwithstanding, defense counsel feels compelled to note that during the July 9, 2008 telephone conversation with plaintiff Allen, plaintiff became unnecessarily heated, raised his voice at defense counsel, and told defense counsel "Don't call me no more" and then hung up the telephone.

*application granted
to oral arg.
7/9/08 Robert P. Patterson - USDC*

In view of the foregoing, it is respectfully requested that the Court grant the within request. Thank you for your consideration herein.

Respectfully submitted,



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